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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,808	10/19/2004	David Modrie	BE 020012	6526
24737	7590	01/10/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			HOQUE, NASRIN	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2631	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/511,808	MODRIE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nasrin Hoque	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 October 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-8 is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 October 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/19/2004</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

### **DETAILED ACTION**

1. Claims 1- 8 are pending in this application.

#### **Drawings**

2. Drawing is objected for following:

FIG. 1: "a(t)" should be labeled as --a(k)-- as specified in page 4, line 4.

Appropriate correction is required.

#### **Specification**

3. Specification is objected for following:

It is suggested to replace " US patent n°" (page 1, line 16) with --US patent no--.

Appropriate correction is required.

#### **Allowable Subject Matter**

4. The following is examiner's statement of reason for allowance for claims 1 and 8 (i.e. claims 1-8).

The closest cited references (Patent #: 6,975,689 and 6,912,258) discloses following:

For first limitation, Patent #: 6,975,689 show that an adaptive equalizer (6,975,689: Fig 4, block 13, column 15) receives input from user data (equivalent to received signal) where the adaptive equalizer is operating at clock rate (6,975,689: Fig 7, column 18, lines 41-42).

For second limitation, Patent #: 6,975,689 further show that the equalizer is being controlled via coefficients which is part of control loop (6,975,689: Fig 4, blocks 14, 23-29, column 15). Patent #: 6,912,258 also disclose that a sampling rate converter forwards a signal which is processed by an error circuit equalizer via timing recovery loop (6,912,258: Fig 4A, blocks 401, 407, 200, 402, column 7, lines 56-67).

For third limitation, Patent #: 6,975,689 further shows that the equalizer is being controlled via coefficients which is part of control loop (6,975,689: Fig 4, blocks 14, 23-29, column 15). Patent #: 6,912,258 discloses that two loops are handled i.e. a sampling rate converter forwards a signal which is processed by an error circuit equalizer (6,912,258: Fig 4A, blocks 401, 407, 200, 402, column 7, lines 56-67) via timing recovery loop and an equalizer is being monitored via control circuit (6,912,258: Fig 4B, blocks 401, 408, 412, 402, column 8, lines 5-16).

For fourth limitation, Patent #: 6,912,258 disclose that orthogonal functionality can be supported (6,912,258: Fig 4B, column 8, lines 5-7). However, the claims are allowable because the above references (Patent #: 6,975,689 and 6,912,258) fail to teach “an error generator (21) for delivering, for said input sequence ( $x_k$ ), the sequence ( $a_k$ ) and an error sequence ( $e_k$ ) to be used in both loops,” per claimed (Fig 4), and “for delivering a condition for the adaptive equalizer (EQ) to fulfill in order to decrease interference between equalizer’s adaptation loop and timing recovery circuit” per claimed (Fig 4).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and to avoid processing delays should be preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

5. This application is in condition for allowance except for the following formal matters:

The objections as stated in paragraphs 1 and 2 of the office this office action.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasrin Hoque whose telephone number is 571-272-5948. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tesfaldet Bocure, can be reached on 571-272-3015. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Nasrin Hoque*  
Nasrin Hoque  
Examiner  
Art Unit 2631

